

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

C.L.,

Plaintiff,

v.

CIVIL ACTION No. 1:19-00792

DAVID R. WILSON, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

On September 24, 2020, the court granted plaintiff's motion to amend her complaint. See ECF No. 70. On September 29, 2020, plaintiff filed her amended complaint. See ECF No. 73. Prior to the filing of the amended complaint, certain defendants filed motions to dismiss and/or for summary judgment directed to the original complaint. However, "[b]ecause a properly filed amended complaint supersedes the original one and becomes the operative complaint in the case, it renders the original complaint 'of no effect'" Fawzy v. Wauquiez Boats SNC, 873 F.3d 451, 455 (4th Cir. 2017) (quoting Young v. City of Mt. Ranier, 238 F.3d 567, 573 (4th Cir. 2001)). For this reason, the following motions, all of which concern the original complaint, are **DENIED** as moot:


- 1) Workman's motion to exceed page limit (ECF No. 47);
- 2) Workman's motion to dismiss and/or for summary judgment (ECF No. 48); and

3) Motion to dismiss filed by Amy Crawford and Gina Honaker (ECF No. 58).\*

The Clerk is directed to send copies of this Memorandum Opinion and Order to all counsel of record and unrepresented parties.

**IT IS SO ORDERED** this 18th day of November, 2020.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge

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\* The court notes that these three defendants have renewed their motions and moved to dismiss the amended complaint. See ECF Nos. 78 and 82.